

AMENDMENTS TO THE CLAIMS

Please cancel claims 1 and 12 without prejudice and amend claims 2-8 and 14-19 as follows:

1. (Cancelled).

2. (Currently Amended) The communication device defined in claim [[1]] 5,
further comprising: an information holder for holding said predetermined information; said
decision means deciding whether or not to transmit and receive data based on current
predetermined information and old predetermined information held in said holder, or whether
or not to interrupt communications if the device is currently in a transmission/reception state.

3. (Currently Amended) The communication device defined in claim [[1]] 5,
further comprising notification means for notifying a user of decision results according to the
decision results of said decision means.

4. (Currently Amended) The communication device defined in claim [[1]] 5,
wherein when said decision means decides disconnection of communications, said controller

controls said communication means to disconnect the line after the logging-out in accordance with a predetermined communication procedure.

5. (Currently Amended) The A communication device defined in claim 1, wherein data is transmitted and received via a communication section and a line, comprising: decision means for deciding whether or not to transmit and receive data based on predetermined information corresponding to the state of the line or the internal state of the device or whether or not to interrupt communications if the device is currently in a transmission/reception state; and a controller for controlling said communication section according decision results from said decision means, said predetermined information containing prediction results based on a prediction of a data amount to be transmitted or received in current communication, wherein said predetermined information contains information representing a reception level.

6. (Currently Amended) The A communication device defined in claim 1, wherein data is transmitted and received via a communication section and a line, comprising: decision means for deciding whether or not to transmit and receive data based on predetermined information corresponding to the state of the line or the internal state of the device or whether or not to interrupt communications if the device is currently in a

transmission/reception state; and a controller for controlling said communication section according decision results from said decision means, said predetermined information containing prediction results based on a prediction of a data amount to be transmitted or received in current communication, wherein said predetermined information contains information representing an error rate.

7. (Currently Amended) The A communication device defined in claim 1, wherein data is transmitted and received via a communication section and a line, comprising: decision means for deciding whether or not to transmit and receive data based on predetermined information corresponding to the state of the line or the internal state of the device or whether or not to interrupt communications if the device is currently in a transmission/reception state; and a controller for controlling said communication section according decision results from said decision means, said predetermined information containing prediction results based on a prediction of a data amount to be transmitted or received in current communication, wherein said predetermined information contains information representing a response timing from a connected destination.

8. (Currently Amended) The communication device defined in claim [[1]] 7,
wherein said predetermined information contains information representing an output voltage
level of a power source within the device.

9. (Original) The communication device defined in claim 8, wherein said power
source within the device comprises a secondary battery.

10. (Original) The communication device defined in claim 9, further comprising
prediction means for predicting a transmittable/receivable data amount based on a charging
amount or output voltage level of said secondary battery; said predetermined information
containing prediction results acquired by said prediction means.

11. (Previously Presented) The communication device defined in claim 10, further
comprising second prediction means for predicting the data amount to be transmitted or
received in current communications; said predetermined information containing the
prediction results acquired by said second prediction means.

12. (Cancelled).

13. (Original) The communication method defined in claim 12, further comprising the steps of: holding said predetermined information; deciding whether or not to transmit and receive data based on current predetermined information and old predetermined information held in said holder, or whether or not to interrupt communications if the device is currently in a transmission/reception state.

14. (Currently Amended) The communication method defined in claim [[12]]
16, further comprising the step of notifying a user of decision results according to the decision results of said step of deciding.

15. (Currently Amended) The communication method defined in claim [[12]]
16, wherein said step of controlling further comprising the step of controlling said communication means to disconnect the line after the logging-out in accordance with a predetermined communication procedure when the decision result of said step of deciding is disconnection of communications.

16. (Currently Amended) ~~The A communication method defined in claim 12~~
suitable for a communication device which transmits and receives data via a communication
section and a line, said method comprising the steps of: deciding whether or not to transmit
and receive data based on predetermined information corresponding to the state of the line or
the internal state of the system or whether or not to interrupt communications if the device is
currently in a transmission/reception state; and controlling said communication section to
disconnect the line after the logging-out in a predetermined communication procedure, in
accordance with decision results in said decision step, the predetermined information
containing prediction results based on a prediction of a data amount to be transmitted or
received in current communication, wherein said predetermined information contains
information representing a reception level.

17. (Currently Amended) ~~The A communication method defined in claim 12~~
suitable for a communication device which transmits and receives data via a communication
section and a line, said method comprising the steps of: deciding whether or not to transmit
and receive data based on predetermined information corresponding to the state of the line or
the internal state of the system or whether or not to interrupt communications if the device is
currently in a transmission/reception state; and controlling said communication section to
disconnect the line after the logging-out in a predetermined communication procedure, in
accordance with decision results in said decision step, the predetermined information

containing prediction results based on a prediction of a data amount to be transmitted or received in current communication, wherein said predetermined information contains information representing an error rate.

18. (Currently Amended) The A communication method defined in claim 12 suitable for a communication device which transmits and receives data via a communication section and a line, said method comprising the steps of: deciding whether or not to transmit and receive data based on predetermined information corresponding to the state of the line or the internal state of the system or whether or not to interrupt communications if the device is currently in a transmission/reception state; and controlling said communication section to disconnect the line after the logging-out in a predetermined communication procedure, in accordance with decision results in said decision step, the predetermined information containing prediction results based on a prediction of a data amount to be transmitted or received in current communication, wherein said predetermined information contains information representing a response timing from a connected destination.

19. (Currently Amended) The communication method defined in claim [[12]] 18, wherein said predetermined information contains information representing an output voltage level of a power source within the device.

20. (Original) The communication method defined in claim 19, wherein said power source within the device comprises a secondary battery.

21. (Original) The communication method defined in claim 20, further comprising the step of predicting a transmittable/receivable data amount based on a charging amount or output voltage level of said secondary battery; said predetermined information containing prediction results acquired by said the step of predicting.

22. (Previously Presented) The communication method defined in claim 21, further comprising the step of secondary predicting the data amount to be transmitted or received in current communications; said predetermined information containing the prediction results acquired by said step of secondary predicting.